



Digitized by the Internet Archive  
in 2010 with funding from  
Lyrasis Members and Sloan Foundation

<http://www.archive.org/details/biennialreportof1908mary>

7.

# BI-ENNIAL REPORT

## OF THE

# COMMISSIONER

## OF THE

# LAND OFFICE

## OF MARYLAND



FROM  
OCTOBER 1ST, 1905 TO SEPTEMBER 30TH, 1907

1907

GEORGE W. KING PRINTING COMPANY,  
STATE PRINTERS,  
BALTIMORE, MARYLAND.



**COMMISSIONERS OF THE LAND OFFICE.**

**FROM FIRST SETTLEMENT OF THE STATE TO PRESENT TIME.**

JOHN LEWGER—1637. Member of the Council—Officer in charge of Land Grants, etc.

JOHN LANKFORD—1641. “During his natural life”—Surveyor General.

ROBERT CLARKE—1648. Surveyor General.

JEROME WHITE—1664. Surveyor General.

BAKER BROOKE—1676. Surveyor General.

VINCENT LOWE—1679 to 1680. Surveyor General.

In 1680 the Land Office was created, with a Register on each Shore.

JOHN LLEWELLIN—Register for Western Shore.

VACHEL DOWNES—Register for Eastern Shore.

HENRY DARNEll—Register 1688.

CHARLES CARROLL—Register 1712.

EDWARD GRIFFITH—Register 1715.

EDMUND JENNINGS—Judge and Register 1732.

LEVIN GALE—Judge and Register 1738.

PHILIP THOMAS—Judge and Register 1743.

BENJ. TASKER and BENJ. YOUNG—Judges and Registers 1746.

BENJ. YOUNG and GEO. STEUART—Judges and Registers 1747.

BENEDICT CALVERT and GEO. STEUART—Judges and Registers 1755.

ST. GEORGE PEALE—Register 1777.

JOHN CALLAHAN—Register 1779.

JOHN KILTY—Register 1806.

JOHN BREWER—Register 1812.

G. G. BREWER—Register 1827.

In 1841 the Eastern Shore Office was transferred to the Western Shore.

G. G. BREWER—Register for Western Shore.

SAMUEL ROBERTS—Register for Eastern Shore.

The Constitution of 1851 created the office of Commissioner of the Land Office.

HON. JAMES MURRAY—1852.

HON. WM. L. W. SEABROOK—1857.

HON. GEO. L. L. DAVIS—1868.

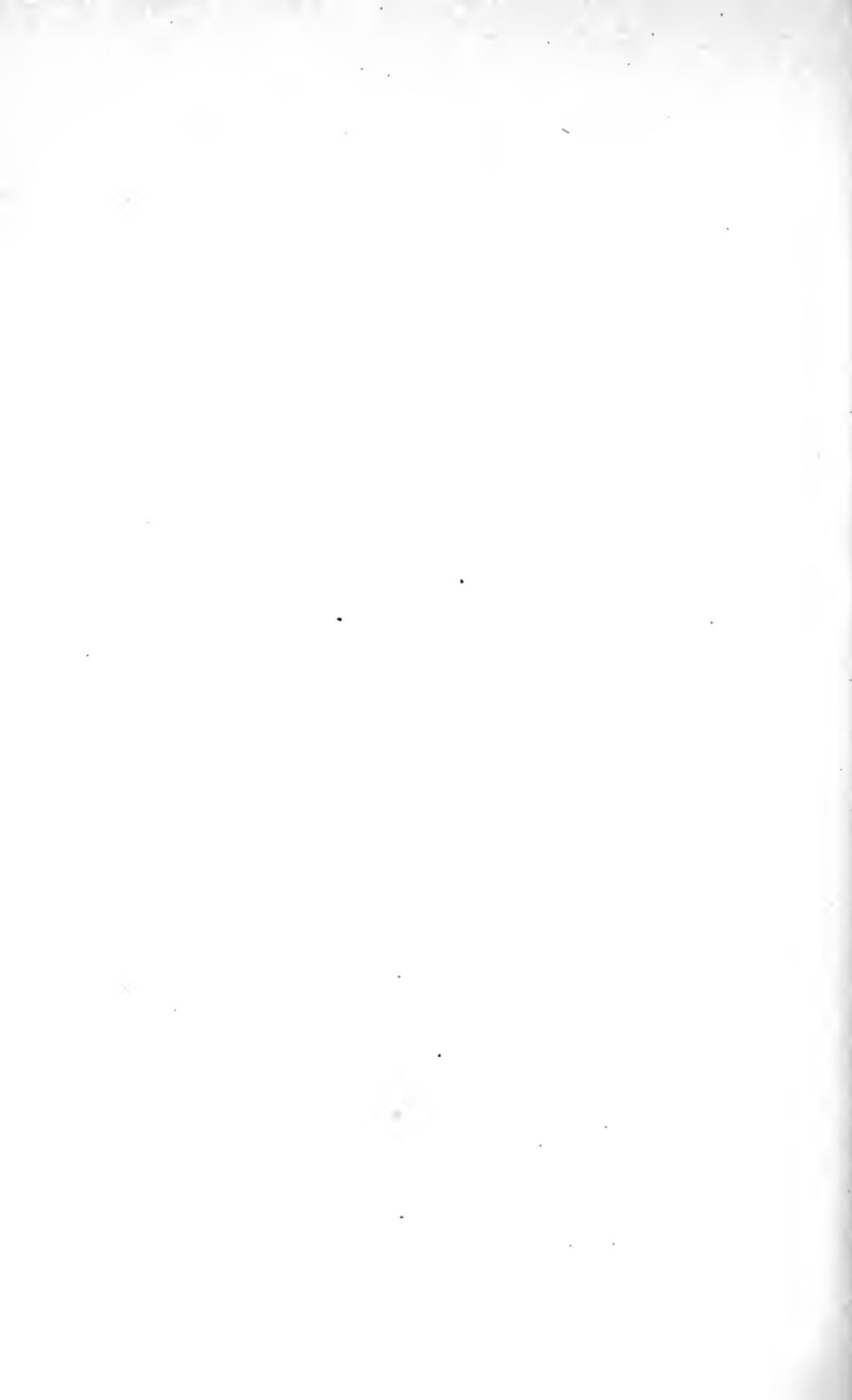
DR. WM. R. HAYWARD—1869.

J. THOMAS SCHARF, A. M., LL. D.—1884.

PHILIP D. LAIRD—1892.

WM. O. MITCHELL—1896.

HON. E. STANLEY TOADVIN—1900.



---

## BI-ENNIAL REPORT.

---

LAND OFFICE OF MARYLAND,

ANNAPOLIS, December 20th, 1907.

To His Excellency, EDWIN WARFIELD,

GOVERNOR OF MARYLAND:

SIR:—The report herewith submitted embraces the business transacted in the Land Office from the 30th day of September, 1905, to the 1st day of October, 1907, together with such information as to the records and historical material contained in the office as may be of advantage and use to the owners of real estate, the lawyer and the student of history.

### THE ORIGIN, OBJECT AND VALUE OF THE LAND OFFICE.

The grant of the Province of Maryland to Lord Baltimore gave to the Proprietary practically the absolute ownership of the land contained in the Charter. He had the right to constitute Courts, grant lands and almost all the powers of the sovereign of England.

At the time when Maryland was settled, land was considered to be of prospective value only, and in order to render it valuable, settlers must be induced to come in and buy or lease the lands, and therefore Lord Baltimore sent out with his first expedition extremely liberal Conditions of Plantations. These Conditions were rules and regulations for the grant of lands to adventurers into the province. The first Condition on record in the Land Office is dated at Portsmouth in

England the 8th day of August, 1636. The first Condition not having been recorded and not in existence, but grants under its terms appear in the records. In this original Conditions of Plantations it was declared that a legal title should be made to all purchasers under the Great Seal of the Province, yet these grants were issued under the hand and seal of the Governor, and not until the year 1644, were patent grants authenticated by the Chancellor under the Great Seal of the province, according to the English mode of making such grants. Since the Revolution patents are authenticated by the signature of the Governor under the Great Seal of the State.

The increase in population and the demands for lands so increased that in the year 1680 a land office was established and all proceedings relating to granting of land should be made and kept of record, certified copies of which, as of any other records, are held to be legal evidence. By the Acts of 1780 and 1781 all the lands of those adhering to the mother country and of British subjects, were confiscated to the use of the State and were sold by a Commission and also largely awarded to the officers and soldiers who faithfully served in the revolution in the Maryland Line. The Act of 1781 created a Land Office for the Western Shore and one for the Eastern Shore and placed each of them under the direction and care of a Register. In 1841 these two offices were consolidated and the present Land Office was established at Annapolis. By the Constitution of 1851, the "Commissioner of the Land Office" was created and directed to perform the duties formerly discharged by the Chancellor, Register and Examiner General and to act as Judge in caveat cases. In 1853 the General Assembly passed an Act declaring the Court of the Commissioner of the Land Office to be a Court of Record. The Act of 1862 and the Constitution of 1864, made the Commissioner of the Land Office the keeper of the Chancery Records and of the ante-revolutionary and revolutionary papers. By the Constitution of 1867 he was further required to collect, arrange, classify and keep all papers, records and relics connected with the early history of Maryland.

Chancellor Bland in his legal and historical opinion in the case of Cunningham vs. Browning, 1 Bland's Reports, says: "The Land Office must be considered the fountain and depository of the primitive muniments of title to all the landed property in the State—in which respect, the surveys returned to, and the patents recorded in it, together with the Chancery Records, constitute Maryland's Domes' Day Book, in which a more accurate description of all the lands of the State is to be found, than of the lands in the records of any country whatever."

Besides performing the duties required by the Acts mentioned, the Commissioner of the Land Office, among other things, has to issue warrants, furnish copies, prescribe rules and regulate the conduct of Surveyors in making surveys and returning certificates of plats; to examine and pass upon certificates returned to his office by surveyors and to hear, examine and decide upon all caveats which come before him as Commissioner.

### WARRANTS.

By custom, which has ripened into law, and by the Statutes, six different kinds of Warrants are issued by the Commissioner of the Land Office, whereby the title of the State in its eminent domain is the first process in transferring any part of the same from the State to the private individual or a corporation. The Code provides only for the issuing of such Warrants as may be called for by name without defining or expressing the nature or applicability of such warrants. There has, however, grown up a well defined and established difference from the Rules and Regulations of the Lords Proprietor in the selling and conveying of land, the decrees of Council of the Province, regulations and custom of the Surveyor Generals, the Chancellors and Commissioners of the Land Office. And as mistakes are frequently made in the applications for the kind of warrants desired, it might not be inappropriate to insert in this report an explanation of the respective warrants of survey.

1. **A Common Warrant** affects only uncultivated and vacant land in the County, to the County Surveyor, of which it is directed. Under this warrant any fraction or number of acres of vacant land may be surveyed and taken up, provided it be all in one body.

2. **A Special Warrant** has all the attributes of a common warrant with the addition that under it cultivated vacant land may be surveyed and patented. In the application for this warrant, the applicant giving the name of the County and a description of where he will have it located. A Special Warrant holds the lands located in the warrant and his right to survey the same holds good until the warrant is executed or the six months time allowed for execution expires.

3. **A Special Warrant of Re-Survey, adding vacancy,** is applicable where a person has discovered land to be vacant adjoining or contiguous to the land already belonging to him and may include more than one parcel of vacant land, provided it is contiguous land to and adjoins his land. He must give name of tract or tracts and date of patent.

## REPORT OF THE LAND COMMISSIONER.

---

This is also a convenient and desirable way of ascertaining and establishing the ancient metes and bounds of his land and consolidating several adjoining tracts owned by the same person into one tract and patent.

**4. A Special Warrant of Re-Survey by Holding and Possession** applies where a person entitled to lands in fee simple and being in possession thereof, or those under whom he claims for the last 20 years, and not desiring to **add contiguous vacancy**. The manner of proceeding is laid down in the Code, Art 54, Sections 30, 31, 32, Code of 1904.

**5. Special Warrant of Escheat**, as its name implies, is for land that reverts back to the State where the owner dies intestate and without having heirs. In applying for this warrant, the application must state the name, situation and quantity of the land and the owner of the escheat land and that he died intestate and without heirs.

**6. The Proclamation Warrant** affects vacant land that has been surveyed and a certificate of survey returned to the Land Office and there laid without the composition money having been paid within a year from the date of the warrant. The first one applying is entitled to this warrant after expiration of the time limit given in which to pay the composition money.

Composition Money is the price of vacant land, and is fifty cents per acre everywhere in the State the vacant land may be found.

### NUMBER OF WARRANTS ISSUED SINCE LAST REPORT.

Common Warrants .....	17
Special Warrants .....	115
Special Warrants of Re-Survey adding vacancy .....	7
Special Warrants of Re-Survey for Holding and Possession .....	4
Special Warrants of Escheat .....	14
Special Warrants of Proclamation .....	1
 Total .....	 158

Of these warrants fifty-eight (58) have been executed, and Certificates of Survey returned to this office.

One hundred (100) of said warrants remain unexecuted.

Sixty-one (61) Patents have been issued, granting three thousand, three hundred and seventy-eight (3,378) acres, one (1) rood and twenty-one and three-fourths ( $21\frac{3}{4}$ ) perches of land, of which one thousand, eight hundred and sixty (1,860) acres one (1) rood and two and three-fourths ( $2\frac{3}{4}$ ) perches were vacant land.

Following is a complete list of Patents issued.

# REPORT OF THE LAND COMMISSIONER

9

## LAND PATENTS.

**Land Patents Issued from October 1<sup>st</sup>, 1905 to September 30<sup>th</sup>, 1907.**

NAMEs OF PATENT	Acres	Roods	Perches	VACANT LAND		
				ACRES	ROODS	PERCHES
Manbone Island-----	2	2	-----	James Graham-----	-----	-----
Walton's Fishing Ground-----	10	1	-----	Frank Bradshaw-----	2	-----
Murphy's Fish Pond-----	21	2	-----	W. Walton Edwards-----	10	1
Bradshaws' Consolidation-----	41	2	-----	J. Holliday Murphy-----	41	2
Bradshaws' Addition-----	427	3	-----	J. William Bradshaw-----	-----	-----
Hughes' Lope-----	40	2	-----	Ernest Davenport-----	40	2
Hughes' Addition-----	32	3	-----	Burnest Davenport-----	32	3
Mud Island-----	12	1	37	Charles H. Lewis-----	32	5
Priceless Claim-----	13	-----	-----	William M. Falbott-----	-----	-----
Alexandrin-----	38	-----	-----	William E. Cullen-----	12	1
Benjamins' Island-----	1	-----	-----	Orie Peyton-----	37	-----
Clapper Hollow-----	25	2	-----	John G. Delfenbaugh-----	-----	-----
Lemkens' Addition-----	30	1	14	Benjamin F. Gibson-----	13	-----
Partnership-----	2	2	-----	John R. McArthur-----	38	-----
Bucks' Range-----	16	-----	-----	James A. Shephard-----	1	1
Gwan Harbour-----	42	2	-----	E. W. Buck-----	14	-----
Olevias' Island-----	1	-----	-----	William Lemken-----	16	28
				William T. Pinder-----	42	2
				Olevia M. Gibson-----	-----	1
				Somerset-----	-----	-----

## REPORT OF THE LAND COMMISSIONER

Williams' Addition-----	22	3	James H. and Charles E. Wilson-----	22	3	Dorchester-----	22	3
Russia-----	110	1	Hobart J. Willing-----	110	1	Wicomico-----	110	1
The Survey on Pretty Spring-----	480	1	Waltman T. W. Steyer-----	14	3	Garrett-----	14	3
Parsons Island-----	9	2	George W. Parsons-----	9	2	Allegany-----	9	2
Hughes' Lock-----	20	14	R. M. Ward Hughes-----	20	14	Dorchester-----	20	14
Hughes' Wisdom-----	61	1	R. M. Ward Hughes-----	61	1	Dorchester-----	61	1
Sherman's See: rty Re-Surveyed-----	63	1	R. M. Ward Hughes-----	63	1	Dorchester-----	63	1
Caprells' Defiance-----	72	3	L. Estelle Hackett-----	35	2	Dorchester-----	35	2
Vineyard-----	105	1	Hobart J. Willing-----	105	1	Wicomico-----	105	1
St. Leonards-----	1	254	Nathaniel W. Brome-----	1	254	Calvert-----	1	254
Coal Ridge-----	127	1	Emma and Mary Wilson-----	127	1	Garrett-----	127	1
Bradshaws' Addition-----	84	1	J. William Bradshaw-----	20	1	20	20	1
Davenport Regulation-----	443	28	Benjamin E. Harrington-----	240	1	Dorchester-----	84	1
Adams Venture-----	15	3 10	Ernest Davenport-----	240	1	Dorchester-----	240	1
Agnes Purchase-----	3	2	Isaac H. Adams-----	15	3	Somerset-----	15	3
Adventure-----	5	1	Bruce C. Dean-----	3	2	Dorchester-----	3	2
Trimits' Chance Reduced-----	25	2	James Lawson-----	5	2	Some. set-----	5	2
Vienna-----	61	6 4	Nehemiah Trout-----	25	2	Wicomico-----	25	2
Emory Hill-----	46	1	Samuel J. English-----	25	2	Wicomico-----	25	2
Emory Ridge-----	79	1	Levin B. Bradley-----	61	6 4	Allegany-----	61	6 4
Richters' Discovery-----	14	38 4	Emory Wilson-----	46	1	Allegany-----	46	1
Lost Tract-----	5	1 9 62	Emory Wilson-----	79	1	Allegany-----	79	1
Rocky Ridge-----	50	1	John T. Mitchell-----	14	1	Dorchester-----	14	1
Travers First Choice-----	14	1	William S. Travers-----	8	1	Wicomico-----	8	1
Travers Second Choice-----	8	1	William S. Travers-----	55	3	Somerset-----	55	3
Beaches Discovery-----	55	3	S. K. Beach-----	2	1	Dorchester-----	2	1
Sterlings' Prize-----	2	1	E. Iwin F. and Jerome Sterling-----	1	3	Somerset-----	1	3
Double Claim-----	1	1	Edwin F. and Jerome Sterling-----	14	1	Baltimore-----	29	1
Brun's' Discovery-----	29	1	John P. Bruns-----	1	10	Wicomico-----	1	10
Boggy Marsh Re-Surveyed-----	126	3	William S. Richardson-----	14	4	Somerset-----	14	4
Wisdoms' Choice-----	70	2	William S. Richardson-----	70	2	Somerset-----	70	2
Williams' Venture-----	11	3	Albert H. Williams-----	11	3	Dorchester-----	11	3
Chelton's Retreat-----	2	2	William H. Chelton-----	1	8	Somerset-----	1	8
The Two Brothers-----	138	38 4	John W. & Lafayette Furbush-----	138	2	Wicomico-----	138	2
Powatan Island-----	1	1	The Powatan Club-----	1	1	Montgomery-----	1	1
Pocahontas Island-----	20	1	The Powatan Club-----	20	1	Montgomery-----	20	1

**REPORT OF THE LAND COMMISSIONER**

11

Reidsdale -----	3	1	10	Joseph W. Reid -----	Somerset -----	3	1	10
Minuehaha -----	50	-----	-----	John O. Thayer -----	-----	-----	-----	-----
Name -----	50	-----	-----	A. Toten Matthews -----	-----	-----	-----	-----
Remainder Re Surveyed -----	77	2	20	G. Semmes Hamill, Jr. -----	Garrett -----	-----	-----	-----
Kirwans' Contention -----	43	-----	-----	Samuel Leochel -----	Garrett -----	-----	-----	-----
Phoenix Lot -----	35	-----	20	Thomas H. Kirwan -----	Dorchester -----	8	3	20
Dykes Discovery -----	3	2	33 6	Benjamin F. Tull -----	Somerset -----	-----	1	33 6
Muskrat Harbour -----	50	3	9 6	William Dykes -----	Wicomico -----	3	2	9 6
Bridge View -----	10	3	33 6	William O. Hinghes -----	Dorchester -----	50	3	-----
	3378	1	21 $\frac{1}{4}$	Charles H. Lewis -----	Anne Arundel -----	10	3	33 6
Total Number of Acres in Patents -----	3378	1	21 $\frac{1}{4}$	Total No. of Acres of vacant Land included in Patents	1860	1	2 $\frac{1}{4}$	

**EXTRACTS OF DEEDS, MORTGAGES, RELEASE OF MORTGAGES AND LEASE OF REAL ESTATE.**

Prior to the passage of the Act of Assembly of 1874, Chapter 66, the duties of the Land Commissioner were confined almost exclusively to the issuing of warrants for vacant land, passing upon certificates and all matters pertaining to vacant land, keeper of the Chancery Records of the High Court of Chancery and the ante-revolutionary and revolutionary papers, and under the Constitution of 1867 collecting and keeping all papers, records and relics connected with the early history of Maryland. This Act of 1874 materially enlarged the scope of the duties of the Commissioner and the clerical force of the office, by providing for the transfer of all books containing deeds and transfers of soldiers' lots, and all other land record books in the office of the Clerk of the Court of Appeals to the Land office, and providing that extracts of all deeds should be sent by the Clerks of the several Counties and of Baltimore City to the Land Office, and there indexed and bound. The collection of the title to all the lands in the State at one place has been of inestimable benefit to holders of real estate in tracing title from the first settlement of the Colony to the present time. The titles of real estate are thus safeguarded in three ways—by the record in the Clerk's offices, the original deed and the extracts in the Land Office. Section 51, of Article 35 of the Code provides that "A certified copy under seal of the extract of a deed transmitted by any of the Clerks of the Circuit Courts or the Clerk of the Superior Court of Baltimore City to the Commissioner of the Land Office, shall be evidence if the original deed and record thereof be lost or destroyed."

As it is necessary in order to remove any doubt that may arise as to the legal effect of a certified copy of extract of mortgage, release of mortgage and lease of real estate, to amend this section, it might be well to provide that any extract of any of the above shall be evidence of the original, whether the original record of, or deed, mortgage, release of mortgage and lease of real estate be lost or destroyed, or not lost or destroyed. Chapter 427 of Acts of 1900, provided for extracts of mortgages, releases of mortgages and leases of real estate be sent to the Land Office in the same manner as extracts of deeds. And in this connection the Commissioner respectfully calls the attention of Your Excellency and the Legislature to the necessity of enlarging the provisions of this Act by requiring that certified copies of reports of Commissioners to value and divide real estate of decedents, Trustee's reports of sales of real estate in Chancery and the

Orphans' Court, and condemnation reports, when finally ratified, be forwarded to the Land Office. Purchasers under these proceedings are often negligent in procuring deeds and by conveying without any deed, cause a break in the chain of the paper title.

The prompt sending of these extracts to the office is a necessary requirement and the means of making the law effective, and a protection for title papers. The aforementioned Act of 1900, Sec. 55, had this promptness in view when the Judges of the Circuit Courts were required to enforce the transmission of extracts, and for a failure to do so impose such fines and penalties as they may provide. The loss of the Record Offices of St. Mary's, Cecil, Harford, Calvert and Baltimore counties, with most, if not all, their valuable records, is an object-lesson for the strict enforcement of this provision. Dorchester county has hitherto been classed as one of the sufferers of loss of records by fire; but through the search and courtesy of Mr. James S. Sheppard, the Deputy Clerk of the Circuit Court for Dorchester county, it can be stated that none of the real estate records have been lost, but are complete. For his next report, the Commissioner hopes to be able to report as to what records are missing of St. Mary's, Cecil, Harford, Calvert, Charles and Baltimore counties.

The indexes of the extracts of land title which the Commissioner is required to have made, are nearly completed for all the bound volumes. The name of the Grantor and Grantee, and the name of the land, if any, are indexed in separate volumes of indexes for each County and Baltimore City.

The reorganization of the clerical force by Chapter 318 of 1900, enables the Commissioner to have this necessary and laborious work done by one clerk, where formerly two clerks were employed at the same work, and were independent of the control of the Commissioner, and not required or compelled to do other work in the office, and at an expense of less than one-half of the former cost.

### MARYLAND BOOK AND HISTORICAL LIBRARY.

The Commissioner has made special effort to form and build up a library of books by Maryland authors and all books and pamphlets referring to or relating to Maryland. And the land Office has probably the largest and completest collection of such books to be found anywhere for the accommodation of which suitable book cases have been provided. Effort has also been made to secure Revolutionary and ante-Revolutionary relics and memorials, but as these are so extremely valuable, not often an opportunity presents of securing any of them.

# REPORT OF THE LAND COMMISSIONER.

---

## RECORDS OF THE LAND OFFICE.

The Records in the Land Office now embrace the following, being an increase of one hundred and eighteen (118) volumes since last report.

Land Office Records, proper.....	335 Vols.
Provincial and General Court Records.....	146   "
Chancery Records and Dockets.....	220   "
Chancery Indexes.....	13   "
Total.....	<u>714   "</u>

## EXTRACTS OF DEEDS.

Miscellaneous, Series M. S., 1 to 12, 1788 to 1823, and Indexes.....	14 vols
"       Series A. G., 1 to 19, 1792 to 1812,       "     .....	21   "
"       Series E. H., 1 to 35, 1815 to 1849,       "     .....	25   "
Allegany County, 26 volumes and 4 indexes .....	30   "
Anne Arundel County, 29 volumes and 3 indexes .....	32   "
Baltimore City, 575 volumes and 54 indexes .....	629   "
Baltimore County, 200 volumes and 12 indexes .....	212   "
Baltimore County and City, 105 volumes and 11 indexes .....	116   "
Calvert County, 3 volumes and 2 indexes .....	5   "
Caroline County, 12 volumes and 2 indexes .....	14   "
Carroll County, 24 volumes and 4 indexes .....	28   "
Cecil County, 15 volumes and 3 indexes .....	18   "
Charles County, 9 volumes and 3 indexes .....	12   "
Dorchester County, 13 volumes and 3 indexes .....	16   "
Frederick County, 119 volumes and 8 indexes .....	127   "
Garrett County, 7 volumes and 3 indexes .....	10   "
Harford County, 28 volumes and 4 indexes .....	32   "
Howard County, 19 volumes and 3 indexes .....	22   "
Kent County, 18 volumes and 3 indexes .....	21   "
Montgomery County, 29 volumes and 4 indexes .....	33   "
Prince George's County, 28 volumes and 3 indexes .....	31   "
Queen Anne's County, 15 volumes and 3 indexes .....	18   "
Somerset County, 24 volumes and 3 indexes .....	27   "
St. Mary's County, 13 volumes and 3 indexes .....	16   "
Talbot County, 14 volumes and 3 indexes .....	17   "
Washington County, 47 volumes and 7 indexes .....	54   "
Wicomico County, 10 volumes and 2 indexes .....	12   "
Worcester County, 19 volumes and 3 indexes .....	22   "
Charles County Court and other records.....	<u>71   "</u>
Total.....	<u>2399   "</u>

Appendix No. 1 contains a list of the Land Office books, with their respective contents, etc.

In addition to the above there are a number of extracts unbound, because not enough to make a volume.

There are also forty-five thousand (45,000) Certificates of Survey and a very large number of maps and miscellaneous papers. Eight thousand (8,000) of these Certificates have been jacketed, numbered and indexed since last report, making a total of twenty-eight thousand (28,000) Certificates now jacketed, numbered and indexed. The jacket showing the name of the county and tract of land, number of acres, roods and perches, for whom surveyed, date of survey, when returned and examined, when composition money was paid, and date to whom patented; also where certificate and patent are recorded. Whereby the search and finding of the Certificate is rendered easy and a great saving of time. The indexes give the name of the tract of land and for whom surveyed, and the number of the jacket.

Following is the list of the Counties completed:

Allegany County.	Anne Arundel County.
Dorchester County.	Frederick County.
Garrett County.	Harford County.
Howard County.	Somerset County.
Wicomico County.	Worcester County.

Five thousand, nine hundred and eleven (5911) bundles of Chancery papers have been jacketed, numbered and indexed since last report, making a total or twelve thousand, four hundred and twenty-one (12,421) bundles of Chancery papers now jacketed, numbered and indexed, which completes this work. Many important papers which were temporarily misplaced have been restored to positions, and of ready access, both to the clerks of the office and others who desire to trace titles to real estate, or prove family history.

The only index to these papers at present is one alphabetically in the names of the complainants, but a system of indexing is now being inaugurated giving the names of both complainants and defendants, on the vowel system, and all other names of persons and tracts of land who were connected with the proceedings.

#### EXTRACTS OF DEEDS.

Extracts of Deeds from Baltimore City and the several counties of the State have been transmitted to this office in compliance with Sections 54 and 55 of Article 17 of the Code of Public General Laws, as follows:

Allegany County—to May 10th, 1907.

Anne Arundel County—to August 31st, 1906.

Baltimore County—to March 23rd, 1907.

Baltimore City—to February 26th, 1907.

Calvert County—no extracts in this office from 1817 to 1882, excepting from December 5th, 1863 to June 1st, 1867, and from December 1873 to June 1875. Extracts to May 28th, 1904.

## REPORT OF THE LAND COMMISSIONER.

---

Caroline County—to June 4th, 1907.  
 Carroll County—to February 10th, 1904.  
 Cecil County—to June 21st, 1901.  
 Charles County—to November 18th, 1903.  
 Dorchester County—to May 1st, 1903.  
 Frederick County—to September 1st, 1907.  
 Garrett County—to June 1st, 1906.  
 Harford County—to July 24th, 1906.  
 Howard County—to June 1st, 1907.  
 Kent County—to June 1st, 1907.  
 Montgomery County—to June 25th, 1907.  
 Prince George's County—to June 23rd, 1907  
 Queen Anne's County—to June 1st, 1906.  
 St. Mary's County—to June 1st, 1907.  
 Somerset County—to June 11th, 1907.  
 Talbot County—to June 1st, 1907.  
 Washington County—to June 1st, 1907.  
 Wicomico County—to March 28th, 1907.  
 Worcester County—to June 10th, 1907.

---

Transmitted to this office under Chapter 427, Acts of 1900.

<b>EXTRACTS OF MORTGAGES.</b>	<b>RELEASE OF MORTGAGES.</b>
-------------------------------	------------------------------

Allegany County—to Oct. 30, 1906.	To Aug. 1, 1907
Anne Arundel Co.—to Aug. 31, 1906.	To May 1, 1907.
Baltimore Co.—to Jan. 12, 1907.	To Jan. 12, 1907.
Baltimore City—to Feb. 26, 1907.	To June 16 1905.
Calvert Co.—to May 2, 1904.	To Nov. 1, 1904.
Caroline Co.—to May 8, 1907.	To May 28, 1907.
Carroll Co.—	
Cecil Co.—to Sept. 7, 1900.	To Oct. 6, 1902.
Charles Co.—to Nov. 8, 1903.	
Dorchester Co.—	
Frederick Co.—to Sept. 1, 1907.	To Sept. 1, 1907.
Garrett Co.—to June 1, 1906.	To July 9, 1906.
Harford Co.—to Feb. 2, 1907.	To March 16, 1906
Howard Co.—to June 1, 1907.	To Aug. 1, 1906.
Kent Co.—to June 1, 1907.	To June 1, 1907.
Montgomery Co.—to July 4, 1907.	To April 19, 1907.
Prince George's Co.—to June 23, 1907.	To June 23, 1907.
Queen Anne's Co.—to June 1, 1906.	To June 1, 1906.
Saint Mary's Co.—to June 1, 1907.	To June 1, 1907.
Somerset Co.—to June 11, 1907.	To June 11, 1907.
Talbot Co.—to June 1, 1900.	
Washington Co.—to June 1, 1907.	To June 1, 1907.
Wicomico Co.—	
Worcester Co.—to June 10, 1907.	To May 17, 1907.

**THE MILITARY LOTS.**

Soon after the close of the Revolutionary war, the Legislature of Maryland granted to the officers and soldiers of the Maryland Line, for their services in that war, lots westward of Fort Cumberland and were distributed by lot. A map of these lots and the patented tracts before this distribution in that section, was made by Francis Deakin in 1787, by authority of a resolution of the Legislature, and embraced a general survey of the State westward of Fort Cumberland. This map becoming dilapidated by erosion caused by lapse of time and handling, the Legislature authorized the making of a copy, which was efficiently done by George H. Shaefer, late Chief Clerk of the Land Office, some years ago, and which is in a complete state of preservation. There are on these maps four thousand one hundred and sixty-five lots of fifty acres each, besides sundry tracts which had been patented. A complete list of the names of the original owners of these lots by the revolutionary officers and soldiers and number of lot is given in a list returned to the Land Office by David Lynn and Benjamin Brooks, Commissioners, the 14th of November, 1789, on file in this office.

The extreme western section of Garrett County, known as the "Glade District", is composed mostly of military lots. The town of Oakland, 56 miles west of Cumberland, is located on a fifty acre lot. All of this section has rapidly grown in wealth and the land correspondingly in value. There still continues to be much litigation in the Land Office and the Courts over the title of these lots, but it is decreasing as the titles become fixed and settled. Since the decision of the Court of Appeals in Armstrong versus Bittinger, 47 Md. Rep., 103, the Commissioner of the Land Office, on an application for an escheat warrant, carefully examines if any escheat warrant has been issued and executed for the same land before issuing an escheat warrant, and refuses a warrant if a certificate has been returned for the same and a patent issued, and thus saving the applicant for the warrant the expense of a survey and a possible controversy and suit as to title. Although certificates of execution of warrants of escheat are, like other certificates, required to remain subject to a caveat for six months after their return to this office, nevertheless, it happens that these lots are not escheat, but the owners are living in distant sections in the State or out of the State and know nothing of the proceedings to escheat. The time for caveat expires and a patent issues. Valuable timber is then cut off and other damage done to the lots, before, if ever, the legal owner knows of the existence of the patent.

And often the patents and possessory title, by the lapse of the twenty years and over, ripens into a full legal title and the rightful owner or owners lose the lot or lots. As a means of modifying and preventing this injustice, it would be well for the Legislature to require a notice in one or more of the county papers where the land lies, requiring the applicant for the escheat warrant to give one or more months notice of the application for the warrant before having the county surveyor execute the warrant; the notice giving a description of the land and reputed owner or owners of the same. It is very rare for the Commissioner to receive an application for an escheat warrant, except for these military lots.

#### **CAVEAT CASES.**

It has been one of the main objects of the Commissioner to dispose of the accumulated caveat cases on the caveat docket. Inquiries for certificates and patents during the present Commissioner's service, and same not being found among the returned certificates and no patent therefore led to an investigation of the Caveat cases, and the Commissioner discovered that no index to caveat docket of the caveat cases had ever been made, and these certificates not finally disposed of were in a confused mass and almost impossible to find. All cases up to the present were indexed, numbered and put in separate jackets. The accumulation of undisposed caveat cases prior to that time and the certificates running back over a hundred years has had the special attention of assistant Clerk, Mr. Jerome T. Hayman, when he had time to spare from his other set work of recording warrants, certificates and patents. Progress has been slow, but this work in this line has been of much value and many a tangled title has been cleared by means of this index of the names of the caveators and caveatees, and the names of the tract of land surveyed. When a caveat is finally disposed of the certificate is placed in the proper file of certificates, indexed and a note made on caveat docket where to be found.

Bringing cases to issue and final hearing has necessarily been slow, because of the great labor in preparing cases for hearing. In nearly all cases, locations and depositions have to be made in order to elucidate and prove the contentions of the litigants, and consequently the date of hearing, for the promotion of justice, are often confined from time to time. The Commissioner, to save the expense of a trip to Annapolis, has, when requested, held the hearing at the County seat where the litigation arises. Surveys and taking of depositions entail much labor and cost upon the surveyors and attorneys.

NEW CAVEATS,	. . . . .	18
OLD CAVEATS HEARD AND DECIDED	. . . . .	7

There has been no appeal from any of the decided caveats.

**RULES OF THE LAND OFFICE AND CHANGES.**

The Commissioner is pleased to report that by Chapter 270 Acts of 1902, the time for Surveyors to return Certificates sent them for correction has been changed from nine months to two months, thus facilitating the examination and correction of Certificates. Also by Chapter 577 of the same Session, the Sheriffs of the State were made executive officers of the Land Office and required to serve writs, attachments, orders and notices issued from the Land Office and make returns and to collect all costs and judgments of the Land Office. The same section also provides for the pay of witnesses and the enforcing of their attendance before the Examiners and the Commissioner in Caveat cases.

By Chapter 143, Acts of 1904, the period of twelve months allowed for appeal from a decision in a caveat case was limited to two months.

Another important amendment and giving power to the Commissioner, was Chapter 570 of the Acts of 1904, increasing the power of the Commissioner to vacate certificates where composition money was not paid in the prescribed time and the cost of vacating to be a lien upon the land and a charge on the applicant for the land.

**SEARCHES, COPIES AND CORRESPONDENCE.**

A comparison of the work for the past two years with the two preceding years shows that there has been an increase in Searches, Copies and Correspondence.

Correspondence from October 1st, 1905, to September 30th, 1907, consisted in writing 2910 letters, as compared with 2815 letters for the previous two years.

Copies made containing 549,875 words as compared with 547,750 words for the previous two years.

These do not include the numerous fee bills made out and mailed. The answer to many letters received involved long and tedious researches and often information as to the Law, Rules and Practice of the Land Office. Making copies of the old record is very difficult and tedious, many of them being in old English text; in many cases the writing is difficult to decipher, because of illegibility caused by erosion from time and injury to the books in the past by exposure and neglect. Re-surveys on elder tracts of land and giving of a new name to the land embraced in the new patent, the numerous escheats of the Soldiers' lots and a change of patent name, and the large number of patents, make searches long and tedious, often requiring a day for one search.

The Commissioner notes there is an increase of demand on the Land Office in tracing title to real estate and family pedigrees.

**BOOKS, BOUNDARIES AND MUSEUM.**

As stated in previous Reports, the Museum in accordance with authority from the Legislature, has been donated to the Maryland Academy of Sciences and removed thereto.

In Appendix No. 3 will be found a list of the valuable original maps, Reports of Commissioners and agreements in reference to the boundaries between Maryland, Delaware, Virginia and West Virginia. Many inquiries have been received from different States in regard to Mason and Dixon's line, showing an awakened interest in this celebrated historical line between the North and the South. Some of the information so furnished is considered of such importance as to be included in the United States Coast and Geodetic Survey of Maryland and adjoining States.

Section 9 of Article 7 of the Constitution directs that "The Commissioner of the Land Office shall also, without additional compensation collect, arrange, classify, have charge of, and safely keep all Papers, Records, Relics and other Memorials connected with the Early History of Maryland not belonging to any other office."

This provision and the efforts and zeal of many preceding Commissioners has made the Land Office the storehouse of many invaluable Records, Relics and Ante and Revolutionary Documents that are a pride to the people of the State and of interest and curiosity to visitors. The collection would have been much larger and more valuable had there been means available for making this collection. The session of the Legislature of 1902 authorized the Commissioner to use the unexpended balance appropriated for binding records for this purpose, by means of which much good work has been accomplished. Many of the old books and records have been rebound. Over four hundred books and pamphlets relating to the history of Maryland, Biographies and sketches of its distinguished sons and heroes, have already been collected and are being added to. The original parchment agreement of Richard and Thomas Penn and Lord Baltimore, establishing the boundary line between Pennsylvania and Maryland and known as the "Mason and Dixon" line has been renovated and preserved by the Emory Process of Preserving Old Papers and is now in almost the perfect condition and legibility as when signed. It is now preserved in a leather case with opening lids and can be inspected without injury. The contest over slavery has made historical this celebrated line and this document dating from 1760 is one of the cherished possessions of the State for its historical and financial value. Many other valuable documents also need restoring and preserving and should be done as soon as funds are available.

**FEES OF THE OFFICE AND COMPOSITION MONEY.**

Composition is derived from the sale of vacant land and is uniformly fifty cents an acre in any part of the State where vacant land is located. Any improvements on vacant land must be paid for in addition to the price of the land.

All fees, caution and composition money are required by the Constitution to be paid over to the State Treasurer semi-annually. From October 1st, 1905, to September 30th, 1907, the Commissioner has received and paid over to the State Treasurer:

From Fees.....	\$1,896.35
From Caution and Composition.....	\$1,051.02
Total.....	\$2,947.37

If the schedule of fees were in proportion to the labor required as in other fee offices, the office would be self-supporting.

**FORMATION OF THE COUNTIES AND THEIR AREA.**

1. **St. Mary's.** The earliest; called in honor of the Virgin Mary, the landing having been made on the Feast of the Annunciation. 1634. Area 372 square miles.

2. **Kent.** After English County of that name, by settlers from said county. 1642. Area, 281 square miles.

3. **Anne Arundel.** After Lady Anne Arundel, wife of Cecilius, 2nd Lord Baltimore. 1650. Area, 425 square miles.

4. **Calvert.** After the family name of the Proprietary. 1654. Area, 222 square miles.

5. **Charles.** From Charles, Lord Baltimore. 1658. Area 451 square miles.

6. **Baltimore.** From the Proprietary's Irish Barony (Celtic bailiwick, i. e. the large town. 1659. Area, 656 square miles.

7. **Talbot.** After Grace Talbot, daughter of George, first Lord Baltimore. 1661. Area, 286 square miles.

8. **Dorchester.** After Earl Dorset, a family friend of the Calverts. 1668. Area, 618 square miles.

---

9. **Somerset.** After Mary Somerset, Sister of Lord Baltimore. 1666. Area, 362 square miles.
10. **Cecil.** After the forename of the 2nd Lord Baltimore. 1674. Area, 360 square miles.
11. **Prince George's.** After Prince George of Denmark. 1695. Area, 486 square miles.
12. **Queen Anne's.** After Queen Anne of England. 1706. Area, 370 square miles.
13. **Worcester.** Commemoration of the Stuart proclivities of the Palatine family. 1742. In 1672 there was another Worcester county. Area, 450 square miles.
14. **Frederick.** After Frederick, Prince of Wales. 1748. Area, 662 square miles.
15. **Caroline.** After Lady Caroline Calvert, sister of the last Lord Baltimore, and wife of Robert Eden, Last Proprietary Governor. 1773. Area, 320 square miles.
16. **Harford.** After Henry Harford, illegitimate son of Frederick, last Lord Baltimore. 1773. Area, 388 square miles.
17. **Montgomery.** After General Montgomery, killed at Quebec. 1776. Area, 490 square miles.
18. **Washington.** After General Washington. 1776. Area, 458 square miles.
19. **Allegany.** After Great Indian Tribe of the Alligewi. Oolik-hanna: i. e. beautiful stream. 1789. Area, 442 square miles.
20. **Carroll.** After Charles Carroll of Carrollton, signer of Declaration of Independence. 1836. Area, 437 square miles.
- 21A. **Baltimore City.** 1850. Separated from the County.
21. **Howard.** After Col. John Eager Howard, the elder. 1851. Area, 365 square miles.
22. **Wicomico.** After the river of the same name. 1867. Area, 365 square miles.
23. **Garrett.** After John W. Garrett, 1872. Area, 660 square miles.

**THE CHANCERY RECORDS.**

The Chancery Records are recorded and bound from 1668 to 1852, when the High Court of Chancery was abolished, containing 220 volumes. There are also 12,415 bundles of Chancery papers.

In his last report the Commissioner called the attention of the Legislature to the necessity of the rapid prosecution of the complete indexing of the Chancery Records, and suggested the providing for a clerk, whose duty should be to work on the indexing of the Chancery proceedings, and he is pleased to report that in accordance with his suggestions the General Assembly of 1904, Chapter 495, provided for a clerk to do this work.

On June 30, 1904, Prof. J. D. Warfield was appointed "Chancery Index Clerk," and seventeen (17) volumes of the Chancery Records have been completed, typewritten and bound. Volume eighteen (18) is nearly completed. The period covered in the completed indexing is from 1668 to 1789.

The valuable legal and genealogical matter contained in these records before indexing was a closed door for any useful purpose or investigation by reason of the lack of any index whatever. After this period there are dockets, but the index contains only the names of one of the parties, complainant or defendant, and unless these are known, it is a laborious task of searching case by case for the information desired.

The indexes are on the vowel system and give all the names of the complainants and defendants, the names of every person mentioned, and name of any tract of land mentioned in the proceedings. All names are on the vowel system and bound in separate volumes to correspond with record book. With the exception of the will indexes there are no other books in the office more sought after than are these indexes and the records and original papers appertaining to them.

The Commission is gratified to report that the laborious work of numbering and jacketing the twelve thousand four hundred and fifteen (12,415) bundles of original Chancery papers has been completed and are all placed in the new steel fire-proof cases in the record room, and easily accessible.

**PREROGATIVE COURT RECORDS AND WILLS.**

After the abolishing of the old Colonial Prerogative Court, which corresponded with our present system and jurisdiction of the Orphans' Courts, by Chapter 8, Acts of 1777, it was intended and provided that all the recorded and original wills, the inventories and appraisements of personal property of decedents, accounts of executors, administrators and guardians, and the proceedings of Prerogative Court be deposited in the office of the Register of Wills of Anne Arundel County for safe keeping. These very important provisions for the preservation of these invaluable records were partly carried out and the documents and records of the Court at Annapolis were so deposited, but many of the old wills and other papers of the years prior to 1777 are still in offices of the Register of Wills of the old counties, uncared for generally, and inaccessible. Authority and means should be afforded the Public Records Commissioner to gather up and deposit the same in the Land Office, with the books, wills, etc., of the Prerogative Court, which are now placed there for safe keeping and examination.

Chapter 573, Acts of 1904, directed the removal of all records and papers of the Prerogative Court to the Land Office, as well as all books, documents and papers in the Register of Wills Office of Anne Arundel county, belonging to the State of Maryland, which has been done, and are now placed in a safe, fire-proof metalic case, with the indexes. The same Act also enacted that copies under seal of Land Office should be evidence as copies of other records and papers in the Land Office.

The 41 will books, 7 balance books, 39 libers of inventories and accounts, 126 libers of inventories, 74 libers of accounts, and 26 of the 47 libers of the testamentary proceedings of the Prerogative Court, had been made, accepted and paid for by the State prior to 1904. Relying upon being remunerated for his work, Mr. John B. League, of Annapolis, between 1904 and 1906 indexed Libers 27, 28, 29 and 30 of the proceedings and by an appropriation contained in Chapter 303, Acts of 1906, received payment therefor. There are still 17 Libers of the proceedings not indexed; for the completion of same provision should be made. When these 17 Libers are indexed, the names and matters contained in the afore-mentioned records will all be available for use.

By the purchase from the contingent fund of the Land Office of Mrs. Jane Baldwin's Index to Will Books, all the indexes will be on the vowel system, typewritten and bound. The index to original wills is becoming dilapidated and worn from continuous handling, and a new and improved index is absolutely necessary.

In the Land Office is now gathered and under one control the Ante-Revolutionary records and proceedings of most of the Courts of the Province, until the legislative acts during the Revolution made such radical changes in the Judiciary system and the Province reorganized into an absolutely free and independent government and state.

Records of all warrants, certificates and patents for land ; and records of deeds, or extracts of same, from the settlement of the Province of Maryland in 1634 to the present time, are preserved in this office.

---

**LIST OF WILL BOOKS, TESTAMENTARY PROCEEDINGS, ETC.**

Will Books.....	41
Indexes to Will Books.....	4
Testamentary Proceedings.....	47
Indexes to Testamentary Proceedings.....	10
Balance Books.....	7
Index to Balance Books.....	1
Inventories and Accounts.....	39
Indexes to Inventories and Accounts.....	2
Inventories.....	126
Indexes to Inventories.....	3
Accounts.....	74
Indexes to Accounts.....	2
Original Wills.....	1390
Indexes to Original Wills.....	1
Number of Volumes.....	357
Number of Original Wills.....	1390

**REMOVAL AND FURNISHING OF LAND OFFICE.**

On completion of the new public building in 1904 the Land Office was moved to the new quarters assigned it, consisting of three rooms. The funds for this building and the furnishing of the offices therein being exhausted, the Land Commissioner was under the necessity of providing rough and temporary accommodations for the contents of the office in the three rooms on the first floor and two rooms in the basement. Representations were made to the Legislature of 1906 of the necessity of providing steel and fire proof cases for the valuable records and documents and other conveniences for the accommodation of visitors and examination of the records. By Chapter 172, Acts of 1906, the sum of ten thousand (\$10,000.00) dollars was appropriated for this purpose ; of this sum the amount of seven thousand three hundred and thirty dollars and seventy-six cents (\$7,330.76) has been expended, leaving a balance of two thousand six hundred and sixty-nine dollars and twenty-four cents (\$2,669.24) still available. All the original Chancery papers and records, Prerogative Court Records and Wills, Certificates of Survey, Certificates and Patent Records and in fact the most valuable records and papers are now arranged and safely protected in steel cases.

Also provisions have been made for the care and protection of the maps and plats of the "Shell Fish Commission", of which the Land Commissioner is made the custodian.

As the arrangement of the records and the papers progresses and need of other new cases and furniture develops, the balance of the fund can be judiciously expended.

**SEARCHES AND TITLES.**

From the great increase in examination of the records in the Land Office and copies of papers referring to title of land, it is evident that the legality of title is being more closely examined into.

Certificates and Patents are being more closely examined, and the chain of title required to be complete up to the present holders. This strictness of examination can chiefly be attributed to the multiplication of Building and Loan Associations and of Title and Guarantee Companies.

The demand and increased value of timber has caused recklessness in destroying bounded and marked trees defining the boundaries of land. Fences defining lines of land have been removed, and boundaries neglected and allowed to disappear without replacement, until it has become impossible, generally, to establish the lines of land in the State.

Sections 30, 31 and 32 of Article 54, "Poe's New Code", providing for a re-survey under warrants of possession and holdings, if properly amended, would remedy much of the troubles landowners now have in establishing their lines; the amendments should contain proper provisions safeguarding the rights of adjoining landowners and claimants, and making patents secured thereunder, after the lapse of a reasonable time, good, and indefeasable against all claimants.

The agitation of the Torren's system of title, or a modification of that system, to correspond with our peculiar land holdings and conveyances, should be considered by the Legislature, and a commission to investigate and report to the next General Assembly should be provided for.

The preceding recommendations taken from last report, are still applicable to present conditions in regard to Searches and Title of lands in the State, and the Commissioner again recommends the appointment of a Commission to investigate and report on some legislation looking to an improvement in proving land titles and certainty of titles.

#### **PUBLIC RECORDS COMMISSION.**

By Chapter 382, Acts of 1904; an Act "For the better security of Public Records", as entitled, was passed. But the provisions of the Act only extended to the appointment of a commission to "examine into the condition and completeness of the Public Records." The commission appointed, consisting of Mrs. Hester Crawford Richardson, chairman, Dr. Louis Steiner and Samuel K. Dennis, have faithfully and zealously examined all the public records of the State, Baltimore city and the counties, with the exception of a small portion of those of Baltimore city and one county. The results of their labors are embraced in detail in writing, showing all the records and the condition thereof, where examined.

By Chapter 211, Acts of 1906, the sum of Fifteen Hundred Dollars (\$1500.00) was appropriated to complete the part of the records in the State House at Annapolis, part of the records in the Court House of Baltimore City, part of the Municipal records of Baltimore City and the records of Prince George's County, not completed under the Act creating the Commission, and to provide for the printing of their report. The Act creating the Commission, limited its existence to two years, and as the last Act omitted to provide for the continuance of the Commission, the amount appropriated was unavailable and prevented the completion of this very necessary and important work. The Legislature should not fail to provide for the completion of the examination by the Commission and the printing of its report. Also to provide a place for the storage of the

original matter and some uniform system for the rebinding and preservation of the county and municipal records and documents. These records, scattered in the public buildings of the State and the Counties, and the records and documents in the Land office, constitute the title to lands in the State of Maryland; its history and the genealogy of its settlers and their descendants.

### **COMPOSITION MONEY.**

In his last report the Commissioner referred to the non-payment of Composition money as follows:

"It is now, and has been a frequent practice for Certificates to be returned and then lay indefinitely without payment of composition money, the land being used and the Certificate holder receiving a profit therefrom without any payment of money to the State for the land, or paying any taxes. Every effort is being made to have settlement made in such cases, but often the holders of the Certifl. cates are not financially responsible and the land not worth the expense of an advertisement and sale. Such certificates are open to Proclamation, but this is seldom resorted to. The Comissioner should have authority to vacate or annul the Certificate on failure of owner to pay composition money, within the required time allowed for the payment thereof."

By Chapter 532 Acts of 1902 the necessary authority was granted the Commissioner to vacate Certificates on non-payment of the composition money after due notice. By Chapter 570 Acts of 1904, this Act was repealed and re-enacted, providing in cases where Certificate holders were dead, out of the State or for any cause notice could not be served upon the holder, the Commissioner after due publication of notice, and non-payment, could vacate the Certificate.

### **CLERICAL FORCE.**

The Commissioner can add no more as to the clerical force in the office than the following included in the last report:

"The Legislature by Chapter 318 of Acts of 1900, and Chapter 229 Acts of 1902, repealed and re enacted sections 2, 11 and 15 of Article 54 of the Code, thus reorganizing the clerical force of the Land Office. Prior to the passage of this Act, there were two clerks whose duties only were to index the names of grantors and grantees in extracts of deeds sent by Clerks of Courts to the Land Office and were paid so much for the names indexed, involving an expense of \$1,000 to \$1,200 for each clerk and some years was much more than this. This indexing was alone their prescribed work and they were independent of the Land Commissioner, except as to his certifying to the amount of work done. Nothing else could be required of them and the general work in the office had to be accomplished by the Commissioner and his chief clerk. There was also another clerk who indexed the records removed from Charles County, who was equally independent. The Acts of 1900 and 1902 made the same number of clerks, grading them and fixing their salary and placing them under the direct control of the Conimissioner, thus making a saving in expense to the State and equalizing the work of the office."

The amended Acts provided for the same number of clerks as under the previous Act, but graded them, and fixed their salaries, and placed them under the direct control of the Commissioner, thus reducing the expense to the State and equalizing the work. The Legislature has since then added to the clerical force an index clerk of the Chancery Records, as hereinbefore stated.

The force consists of John F. O'Malley, Chief Clerk; Arthur Trader, First Assistant Clerk; Gen. Frank A. Bond, Second Assistant Clerk, and Jerome T. Hayman, Third Assistant Clerk.

Mr. George H. Shaefer, after a most faithful and efficient service as Chief Clerk for 36 years, died on the 20th day of January, 1906, and was buried in the family burying-ground on the "Shaefer Farm", near Hagerstown, Md. The kindly and genial spirit of Mr. Shaefer endeared him to his friends and won for him the regard of all who met him. Entering the Land Office a young man, his life was practically devoted to the performance of the onerous duties connected therewith. In addition to routine duties, his love of Maryland history and high sense of duty to his State incited in him a devotion toward and a delight in caring for and preserving old records, documents, manuscripts, etc., in the office, and of gathering and adding material thereto. His knowledge of the laws, rules and practice of the office, and his familiarity with the thousands of volumes and papers in it contained, was invaluable, not only to the persons having business connected therewith, but to the attorneys of the State practicing before the Commissioner.

Mr. O'Malley, having been specially instructed and informed as to the duties of the Chief Clerk by his predecessor, was assigned to the position of Chief Clerk on the death of Mr. Shaefer. Gen. Bond was assigned to the indexing of abstracts of deeds, mortgages and releases of mortgages, and deeds, and in this line, by his industry and application has accomplished what was formerly the work of two clerks, working on a case, or name basis, in indexing.

Mr. Trader, the first assistant clerk, is an expert typewriter, and when not occupied in making copies has been employed and accomplished much in indexing and jacketing thousands of certificates of survey.

The third assistant clerk, Mr. Hayman, is chiefly employed in recording; when not so employed, he has been engaged and done efficient service in sorting out and jacketing the original chancery and the old caveat cases.

These clerks are well acquainted with the location of the records and papers in this office, and information and copies are promptly supplied to any one, whenever required.

Respectfully Submitted,

**E. STANLEY TOADVIN,**

Commissioner of the Land Office.

## APPENDIX NO. 1.

### LAND OFFICE RECORDS.

Series Nos. 1 to 23, Patents, Certificates, Warrants, Assignments, Petitions and Court Proceedings, 1638-1695 .....		23 Vols.
Liber A. B. & H. Patents, 1646-1654 .....	1	"
" Q. Patents, Certificates, Warrants, etc., 1658 .....	1	"
" C. B. Nos. 2 and 3, Patents, 1680-1683 .....	2	"
" J. B. & J. L., No. C., Patents, 1684-1700 .....	1	"
" S. D., No. A., Patents, 1683-1684 .....	1	"
" N. S., Nos. B. and 2, Patents, 1683-1688 .....	2	"
" W. D., Patents, 1689-1706 .....	1	"
" D. S., No. F., Warrants, Assignments and Patents, 1685-1706 .....	2	"
Liber B. B., No. 3 A., Patents and Certificates, 1686-1697 .....	1	"
" C. C., No. 4, Patents and Certificates, 1696-1699 .....	1	"
" D. D., Patents and Certificates, 1696 .....	1	"
" C., Patents and Certificates, 1694-1695 .....	1	"
" D. D., No. 5 Certificates, assignments, &c., 1700-1713 .....	1	"
" E. E., No. 6, Patents and Certificates, 1713-1715 .....	1	"
" F. F., No. 7, Patents and Certificates, 1713-1721 .....	1	"
" P. L., Nos. 2 to 8, Patents, 1706-1734 .....	7	"
" R. Y., No. 1, Patents, 1714 .....	1	"
" C. E., No. 1, Patents, 1715-1722 .....	1	"
" J. L., Nos. A. and B., Certificates and Assignments, 1719-1733 .....	2	"
" A. M., No. 1, Certificates and Assignments, 1728-1735 .....	1	"
" E. J., Nos. 1 to 6, Patents and Certificates, 1732-1743 .....	6	"
" L. G., Nos. B. C. & E., Certificates and Assignments, 1743-1745 .....	3	"
" P. T., Nos. 1 and 2, Patents, 1743-1746 .....	2	"
" B. T. & B. Y., No. 3, Patents, 1745-1747 .....	1	"
" T. J., Nos. 1, 3 and 4, Patents and Certificates, 1747-1751 .....	3	"
" B. Y. & G. S., Nos. 1 to 5, Patents, Certificates, etc., 1746-1751 .....	5	"

# REPORT OF THE LAND COMMISSIONER.

31

Liber Y. & S., Nos. 6 to 8, Certificates and Patents 1751-1754-----	3	Vols.
" G. & S., Nos. 1 and 2, Certificates and Patents 1752 1755-----	2	"
" B. C. & G. S., Nos. 1 to 52, Patents and Certificates 1754-1756-----	52	"
" J. C., Nos. A. to S., Patents and Certificates 1782-1809-----	18	"
" J. K. Nos. T. & U , Patents and Certificates 1805-1811-----	2	"
" J. B., Nos. A. to G., Patents and Certificates 1811-1823-----	7	"
" J. B. & G. G. B., No. H., Certificates 1824-1829-----	1	"
" G. G. B., Nos 1, 2, 3, Patents and Certificates 1828-1842-----	3	"
General Indices to above Records-----	7	"
Liber G. G. B., Nos. 4 to 8, Patents and Certificates 1806-1857-----	6	"
" W. L. W. S., Nos. 2 and 3, Patents and Certificates 1861-1871-----	2	"
" G. L. D., No. 1, Certificates 1826 1877-----	1	"
" J. M., No. 1, Patents 1854-1861-----	1	"
" W. R. H., No. A., Md and Virginia Boundary, Lighthouse 1877-----	1	"
" W. R. H., No. 1, Patents 1872 1882-----	1	"
" W. R. H , No. 1, Certificates 1871-1877-----	1	"
" W. R H , No. 2, Patents 1883-----	1	"
" W. R. H., No. 1, Warrants 1880-----	1	"
" J. T. S , No. 1, Certificates 1888-----	1	"
Warrants, Assignments, Petitions, Etc. 1661-1879-----	71	"
Eastern Shore Records, Patents and Certificates 1796-1842-----	8	"
General Indices to Warrants-----	5	"
Eastern Shore Warrants, Assignments, Etc. 1781-1842-----	15	"
Rent Rolls-----	49	"
Commission Books 1812-1838-----	6	"
Commissions, Civil Appointments 1825 1839-----	15	"
Register of Civil Appointments 1777-1825-----	1	"
Register of Civil Appointments 1825-1835-----	1	"
Senate Proceedings 1793-1837-----	23	"
House of Delegate Proceedings 1804-1850-----	31	"
Proceedings of the Executive 1785 1825-----	7	"
Maryland Council Proceedings 1791-1821-----	11	"
Colonial Maryland Debt Books-----	53	"
Indexes to same-----	10	"
Total-----	490	

## ADDENDA TO APPENDIX No. 1 OF REPORT.

Commission Books 1812-1838-----	6	Vols.
Commissions, Civil Appointments 1825-1839-----	15	"
Register of Civil Appointments 1777-1825-----	1	"
Ditto of Civil Appointments 1825-1835-----	1	"
Senate Proceedings 1793-1837-----	23	"
House of Delegates Proceedings 1804-1850-----	31	"
Proceedings of the Executive 1785 1825-----	7	"
Maryland Council Proceedings 1791-1821-----	11	"
Colonial Maryland Debt Books-----	53	"
Indexes to same-----	10	"
Total-----	158	

# REPORT OF THE LAND COMMISSIONER.

---

## APPENDIX NO. 2.

Records belonging to the Land Office, now in the possession of the Maryland Historical Society, under the provisions of the Act of 1882, Chapter 138:

Upper House Journals 1659-1777 .....	14 Vols
Lower House Journals 1670-1763 .....	14 "
Assembly Proceedings 1687-1774 .....	8 "
Journal of Senate 1773 .....	1 "
Journals of House of Delegates 1777-1780 .....	3 "
Council Proceedings, &c. 1636-1791 .....	21 "
Commissions 1726-1786 .....	3 "
Maryland Archives 1682-1785 .....	1 "
Court of Oyer and Terminer 1728-1752 .....	1 "
Letter Books 1756-1793 .....	8 "
Board of Revenue 1768-1775 .....	1 "
Entry Book 1771 .....	1 "
Invoice Books 1771-1776 .....	1 "
Postage Book 1774-1777 .....	1 "
Ledger B. No. 2 1780-1782 .....	1 "
Day Book 1784-1786 .....	1 "
Proprietary Papers 1701-1776 .....	6 "
Church Vestry Papers of various periods .....	2 "
Proprietary Papers relative to Indians 1638-1764; Correspond. 1744-1764 .....	1 "
Correspondence of Lord Baltimore and Officers of British Crown, etc .....	1 "
Papers in the case of the designed arrest of Governor Eden, etc .....	1 "
Minutes of Maryland Convention 1774 .....	1 "
Minutes of Council of Safety, Instructions and Correspondence of Maryland Delegates in Congress, etc. 1776-1790 .....	32 "
Sixty-two Letters from General Washington 1777-1799 .....	1 "
Letters from General Smallwood 1777-1782 .....	1 "
Letters from Generals Gist and O. H. Williams 1775-1781 .....	1 "
Miscellaneous Papers 1777-1797 .....	5 "
Military Correspondence 1779-1781 .....	1 "
Printed Broadsides .....	1 "
Maryland Stock in Bank of England .....	1 "
Maryland Bank Stock in England .....	1 "
Papers concerning losses during Revolutionary War and Information about British Property .....	1 "
Liber C. & W. H. 1638-1678. Liber W. H. & L. 1640-1692.	
Liber L. L. No. 1, 1692. L. L. No. 2, 1692-1704. L. L. No. 3, 1704-1710	

## APPENDIX NO. 3.

## BOUNDARIES.

## I. Maryland, Pennsylvania and Delaware.

Report of Commissioners 1850 Three copies.

Report of Lieutenant Graham.

Map of the Line as run by Lieutenant Graham.

## II. Maryland and Pennsylvania.

Agreement between Lord Charles Baltimore and John, Thomas and Richard Penn, of May 10, 1732, and the Commission to the Pennsylvania Commissioners of May 12, 1732 (Printed.)

Agreement between Lord Baltimore and Thomas and Richard Penn of July 4, 1760. (Parchment, restored.)

Commission of Horatio Sharpe and others, Maryland Commissioners, under foregoing agreement. (Parchment; in fair condition.)

Minutes of the Joint Commissioners of Lord Baltimore and the Penns, Nov. 19, 1760 to Nov. 9, 1768.

Minutes of the Commissioners April 30, 1762 to August 30, 1763.

Field Notes and Journal of Surveys of Lord Baltimore and the Penns for the year 1761.

Original Astronomical Observations and Journal of Mason and Dixon November 15, 1763 to October 4, 1767.

## III. Maryland and Virginia.

Correspondence of the Joint Commissioners under the Acts of March and May, 1852 and March, 1860.

## A.—Western Boundary.

Measurements of the Meridian, original notes by Daser, 1860, Books 1 and 2 Astronomy, 1859, Lieutenant Michler.

Data used in Compilation of Maps from Fairfax Stone to Pennsylvania Line 1859, 1860 and 1861.

Original Astronomical Computations Original Notes of Survey, Book 1, 2, 3, 4 Atlas of Western Boundary, 26 plates, by Lieutenant Michler.

## B.—East of the Bay and the Southern Boundary.

Data used in the Compilation of the Maps, 1859.

Survey Books, 1858. No. 1 commencing at Chincoteague Bay. No. 2 commencing at Pocomoke River.

Field Books (Theodoite) Nos. 1, 2, 3, 4, Lieut Michler.

The Black-Jenkins Award (Map) 1877.

Smith's Point to Atlantic Ocean (Map) 1883.

Winthrop and Lee's Map of the boundary line between Dorchester and Somerset Counties, 1860





